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OFFICE OF THE ATTORNEY GENERAL
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CONSUMER PROTECTION DIVISION
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Press Release

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**ATTORNEY GENERAL MCGRAW SUBMITS NEW
EVIDENCE THAT DELINQUENT FUNERAL HOME
MISAPPROPRIATED CONSUMER'S FUNDS**

Court documents filed today by Attorney General Darrell McGraw's Consumer Protection Division allege that Myers Funeral Home, an Elkview business, has misappropriated money from at least one consumer who gave the business thousands of dollars as advance payment for funeral arrangements.

McGraw's office originally sued Myers Funeral Home ("Myers"), and its owners, Frederick Arthur Myers, Jr., and its manager Frederick Dale "Rick" Myers, in December 2003 alleging that although Myers had been accepting money from consumers as advance payment for their funeral services, Myers was not authorized or licensed to sell preneed funeral contracts in the State of West Virginia. Over the years, Myers had habitually failed to renew its licensing requirements, and repeatedly failed to disclose advance-payment transactions to the Attorney General, as required by law. At the time the lawsuit was filed, no evidence had surfaced that Myers had actually misappropriated consumers' funds.

In January 2004, a consumer filed a complaint alleging that she had paid Myers over \$7,000 in cash in September 2003 as advance payment for her funeral arrangements. The lawsuit alleges that the money never made its way from the funeral home to the life insurance company where Myers had agreed to deposit the funds. Moreover, Myers failed to submit a copy of the consumer's contract to the Attorney General's Office as required by law, and the account was not disclosed to McGraw's office during an audit performed only three weeks following the transaction.

McGraw's office reports that the new evidence contradicts Myers' representations at a hearing in January 2004, during which the funeral home admitted to handling its documents improperly but claimed that consumers' funds were never mishandled or misappropriated.

Any customers of Myers Funeral Home who suspect that monies they paid Myers may have been mishandled should contact the Attorney General's Consumer Hotline at (800) 368-8808 or (304) 558-8986.

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